

LONGYEAR & LAVRA, LLP  
Van Longyear, CSB No.: 84189  
Gigi Knudtson, CSB No.: 114993  
Nicole M. Cahill, CSB No.: 287165  
555 University Avenue, Suite 280  
Sacramento, CA 95825  
Phone: 916-974-8500  
Facsimile: 916-974-8510  
Email: [longyear@longyearlaw.com](mailto:longyear@longyearlaw.com)  
[knudtson@longyearlaw.com](mailto:knudtson@longyearlaw.com)  
[cahill@longyearlaw.com](mailto:cahill@longyearlaw.com)

Attorneys for Defendants,  
County of Sacramento, Lynn Billett,  
And Phoebe Foo

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA SACRAMENTO DIVISION**

MICHAEL HESSE, an individual,  
Plaintiff

v.

COUNTY OF SACRAMENTO, a municipal  
corporation; PHOEBE FOO, in her individual  
capacity; LYNN BILLET, in her individual  
capacity; STEPHENYE BURNETT; in her  
individual capacity; ANDREW HO, in his  
individual capacity, and SONIA SANGA, in  
her individual capacity:

Defendants.

Case No.: 2:21-cv-1931 WBS KJN P

**~~PROPOSED~~ ORDER MODIFYING THE  
SCHEDULING ORDER**

Plaintiff is a former state prisoner, proceeding through counsel. On June 29, 2023, the parties filed a stipulation to modify the court's scheduling order to extend the discovery deadlines. The parties have been attempting to schedule plaintiff's deposition and need additional time to do so. Plaintiff is currently housed in the Yuba County Jail facing federal criminal charges.

"The district court is given broad discretion in supervising the pretrial phase of litigation." Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 607 (9th Cir. 1992) (citation and internal quotation marks omitted). Rule 16(b) provides that "[a] schedule may be modified


only for good cause and with the judge's consent." Fed. R. Civ. P. 16(b)(4). "The schedule may be modified 'if it cannot reasonably be met despite the diligence of the party seeking the extension.'" Zivkovic v. Southern California Edison Co., 302 F.3d 1080, 1087 (9th Cir. 2002) (quoting Johnson, 975 F.2d at 607).

The undersigned finds good cause to extend the discovery deadline. In light of such extension, the deadline for filing pretrial motions is also extended.

Accordingly, IT IS HEREBY ORDERED that:

1. The June 29, 2023 stipulation (ECF No. 43) is approved.
2. The July 3, 2023 discovery deadline is extended to September 15, 2023.
3. The pretrial motions deadline is extended to October 6, 2023.
4. All other portions of the Discovery and Scheduling Order (ECF No. 41) remain in full force and effect.

Dated: July 6, 2023

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE